

**REMARKS**

This present amendment is being filed prior to the filing of an Appeal Brief. The Examiner is requested to enter these amendments before considering the Brief.

Because the present application is under appeal, the above amendments are presented pursuant to 37 CFR 41.33 (a). As indicated above, the amendments amend claims to comply with a requirement of form expressly set forth in a previous Office action. Specifically, claims 1 and 33 are amended. Accordingly, these amendments should be entered.

In the final Office Action, the Examiner rejected claims 1, 2, 4-11, 23-31, 33, 34 and 36-51 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Examiner is respectfully directed to the forthcoming Appeal Brief in which those rejections are addressed.

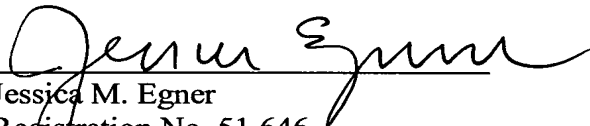
With respect to the rejection of claims 1, 2, 4-11, 23-31, 33, 34 and 36-51 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subjected matter which applicant regards as the invention, Appellant is amending claims 1 and 33 in order to overcome the 35 U.S.C. § 112, second paragraph rejection.

With respect to the rejection of claims 33, 34 and 36-51 under § 101 as directed to non-statutory subject matter, the Examiner is respectfully directed to the forthcoming Appeal Brief in which those rejections are addressed..

With respect to the rejection of 1, 2, 4-11, 23-31, 33, 34 and 36-51 under 35 U.S.C. 103(a) as being unpatentable Williams et al. (U.S. Pub. No. 2002/0032612 A1) in view of Le et al. (U.S. Pub. No. 2003/0069831 A1), the Examiner is respectfully directed to the forthcoming Appeal Brief in which those rejections are addressed.

In view of the foregoing, it is submitted that the present application is in condition for allowance and a notice to that effect is respectfully requested. However, if any issue remains after considering this response, the Examiner is invited to call the undersigned to expedite the prosecution and work out any such issue by telephone.

Respectfully submitted,

  
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